

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EMILY HEERDE AND MARK
HAINES, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiffs,

v.

LEARFIELD COMMUNICATIONS,
LLC, SIDEARM SPORTS, LLC, AND
UNIVERSITY OF SOUTHERN
CALIFORNIA,

DEFENDANTS.

Defendants.

Case No.: 2:23-cv-04493-FLA-MAAx

**[PROPOSED] ORDER GRANTING
DEFENDANTS' RULE 12(B)(6)
AND 12(B)(7) MOTION TO
DISMISS PLAINTIFFS'
COMPLAINT [DKT. #38]**

*[Filed Concurrently with Notice of
Motion; Fed. R. Civ. P. 5.1 Notice of
Constitutional Question; and
(Proposed) Order]*

DATE: October 20, 2023
TIME: 1:30 p.m.
CTRM: 6B

Case Filed: 06/08/2023

**[PROPOSED] ORDER GRANTING DEFENDANTS' RULE 12(B)(6) AND
12(B)(7) MOTION TO DISMISS PLAINTIFFS' COMPLAINT [DKT. #38]**
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1 On September 21, 2023, Defendants Learfield Communications, LLC and
2 Sidearm Sports, LLC filed a 12(b)(6) and 12(b)(7) motion to dismiss Plaintiffs'
3 Complaint for failure to state a claim upon which relief can be granted and failure to
4 join an indispensable party.

5 The court, having considered Defendants' Motion, and finding good cause
6 therefor, hereby GRANTS the Motion and ORDERS as follows:

- 7 1. Plaintiffs' Complaint is DISMISSED in its entirety with prejudice.
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9 IT IS SO ORDERED.
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11 Dated: September __, 2023
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14 FERNANDO L. AENLLE-ROCHA
15 UNITED STATES DISTRICT JUDGE
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